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NOTE VERBALE DATED 18 JUNE 1992 FROM THE PERMANENT MISSION OF FINLAND TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of Finland to the United Nations presents its compliments to the Secretary-General and has the honour to inform him of the measures Finland has taken to implement Security Council resolution 757 (1992).

As regards paragraphs 4, 5, 6, 7 and 11 of resolution 757 (1992), the Government has issued a Decree on Enforcement of Obligations arising from the United Nations Security Council resolution on Yugoslavia (enclosed in English translation) that entered into force on 10 June 1992.

Paragraphs 4 (a) and 4 (b) of resolution 757 (1992) concerning prevention of the import of commodities or products originating in the Federal Republic of Yugoslavia (Serbia and Montenegro) and of the activities to promote the export or transshipment of such commodities or products are implemented by paragraph 2, subparagraph 1, of the Decree.

Paragraph 4 (c) of resolution 757 (1992) concerning prevention of the sale or supply of any commodities or products to the Federal Republic of Yugoslavia (Serbia and Montenegro) is implemented by paragraph 2, subparagraph 2 of the Decree. As regards the exception clause concerning supplies intended strictly for medical purposes and foodstuffs, it is included in paragraph 2, subparagraph 4, of the Decree.

Paragraph 5 of resolution 757 (1992) prohibiting transfer of any funds or other financial or economic resources to the authorities, commercial, industrial or public utility undertakings, persons or bodies in the Federal Republic of Yugoslavia (Serbia and Montenegro) is implemented by paragraph 2, subparagaphs 3 and 4, of the Decree. Paragraph 6 of resolution 757 (1992) concerning commodities and products temporarily present in the territory of the Federal Republic of Yugoslavia is implemented by paragraph 2, subparagraph 5, of the Decree.

Paragraphs 7 (a) and (b) of resolution 757 (1992) concerning an air embargo on Yugoslavia are implemented by paragraph 3 of the Decree.

Paragraph 11 of resolution 757 (1992) concerning agreements or contracts entered into or licences or permits granted before 30 May 1992 is implemented by paragraph 4 of the Decree. Application of resolution 757 (1992) to contracts or other prohibited acts entered into but not completed at the effective date of the Decree, 10 June 1992, is also covered by the Decree.

In accordance with Act No. 659/67 concerning the Implementation of Certain Obligations incumbent upon Finland as a Member of the United Nations, paragraph 4, violation of the Decree implementing resolution 757 (1992) is a criminal offence and subject to imprisonment, fines and seizure, confiscation etc. of proceeds of illegal acts.

As regards paragraph 8 (a) of resolution 757 (1992) concerning reductions in the level of the staff at diplomatic missions and consular posts of the Federal Republic of Yugoslavia (Serbia and Montenegro), no implementation has been deemed necessary since there is only one diplomatic representative in the Yugoslavian Embassy in Helsinki.

As to paragraph 8 (b) of resolution 757 (1992) concerning preventing the participation in sporting events of persons or groups representing the Federal Republic of Yugoslavia (Serbia and Montenegro) and paragraph 8 (c) concerning suspending scientific and technical cooperation and cultural exchanges with and visits by the Federal Republic of Yugoslavia, the text of resolution 757 (1992) was immediately distributed to authorities and organizations concerned.

At the same time, with the Decree referred to above, the Government issued a separate statement dealing with sporting events, scientific and technical cooperation and cultural exchanges with the Federal Republic of Yugoslavia (Serbia and Montenegro). The statement noted that the Government would not sponsor events and activities that would be in violation of the United Nations Security Council resolution on Yugoslavia. Furthermore, the Government appealed to Finnish organizations, institutions and other instances so that they would take the resolution into account in their activities in the field of sports and culture.

Officials at the Ministry for Foreign Affairs have been available for consultation in cases concerning the implementation of resolution 757 (1992).

Annex

Decree on the Enforcement of Obligations Arising from the United Nations Security Council Resolution on the Federal Republic of Yugoslavia, Helsinki, 5 June 1992

Upon presentation by the Minister for Foreign Affairs and by virtue of paragraphs 1 and 5 of the Act on the Enforcement of Certain Obligations of Finland as Member of the United Nations of 29 December 1967 (659/67), be it enacted as follows:

Paragraph 1

So as to enforce the obligations of Finland arising from United Nations Security Council resolution 757 (1992) of 30 May 1992, economic relations with the Federal Republic of Yugoslavia (Serbia and Montenegro) shall be restricted in accordance with the provisions of this Decree.

Paragraph 2

The import of any goods or commodities originating in the Federal Republic of Yugoslavia is prohibited. Similarly is prohibited any activity by a Finnish national or on Finnish territory which would promote or be calculated to promote the export or transshipment of any commodities or products originating in the Federal Republic of Yugoslavia, as well as any dealings by Finnish nationals or Finnish flag vessels or aircraft or from Finnish territory in any commodities or products originating in the Federal Republic of Yugoslavia and exported therefrom after the date of the said resolution. The same shall apply to any transfer of funds to the Federal Republic of Yugoslavia for the purposes of such activities or dealings.

The sale or supply by Finnish nationals or from the territory of Finland or using a Finnish flag vessel or aircraft of any commodities or products, irrespective of their origin, to any person or body in the Federal Republic of Yugoslavia or to any person or body for the purposes of any business carried on in or operated from the Federal Republic of Yugoslavia, is prohibited. Similarly is prohibited any activity by a Finnish national or from Finnish territory, which would promote or is calculated to promote the sale or supply of such commodities or products.

The transfer of any funds and making available of any other financial or economic resources to the authorities of the Federal Republic of Yugoslavia or to any commercial, industrial or public utility undertaking or natural person in the Federal Republic of Yugoslavia is prohibited. Similarly, the transfer of funds from Finland by any person in Finland, whether a Finnish national or not, is prohibited.

The provisions of subparagraphs 1 to 3 on the sale and supply of goods and products as well as the transfer of funds shall, however, not apply to the delivery of goods exclusively for medical purposes or of foodstuffs, which must be notified to the Committee established by Security Council resolution 724 (1991), or to the payment for the delivery of such goods, or payments for humanitarian purposes.

Similarly, the provisions of subparagraphs 1 and 2 above shall not apply to the transshipment through the Federal Republic of Yugoslavia of goods or products originating outside and temporarily present in the Federal Republic of Yugoslavia in accordance with the instructions of the aforementioned Committee.

Paragraph 3

Any aircraft which is destined to land in or has taken off from the territory of the Federal Republic of Yugoslavia shall be denied permission to take off from, land in or overfly the territory of Finland.

The provision of engineering and maintenance servicing of aircraft registered in the Federal Republic of Yugoslavia or operated by or on behalf of entities or components for such aircraft, the certification of airworthiness for such aircraft by any Finnish national or on or from Finnish territory is prohibited. The same shall apply to the payment of new claims against existing insurance contracts and the provision of new direct insurance for such aircraft.

The provisions of subparagraph 1 shall not apply to flights which the Committee referred to in paragraph 2 (4) has approved for humanitarian or other purposes consistent with the resolutions of the Security Council.

Paragraph 4

The application of the provisions of paragraphs 2 and 3 above shall include contracts and other commitments undertaken prior to the entry into force of this Decree.

Paragraph 5

Deliveries under paragraphs 2 and 4 as well as flights under paragraph 3 (3) of this Decree shall be subject to prior notification to the Ministry for Foreign Affairs which shall forward the information to the Committee referred to in paragraph 2 (4).

Paragraph 6

The provision of arms and war materials to the Federal Republic of Yugoslavia shall be subject to the provisions of the Decree on the Enforcement of the Obligations Arising from the United Nations Security Council Resolution on Yugoslavia of 30 December 1991 (1734/91).

Paragraph 7

Any violation of the provisions of this Decree or any rule or regulations issued by virtue hereof shall be subject to the sanctions provided in paragraph 4 of the Act on the Enforcement of Certain Obligations of Finland as Member of the United Nations (as amended 824/90).

Paragraph 8

The Council of State shall, where appropriate, issue more detailed instructions on the application of this Decree.

Paragraph 9

This Decree shall enter into force on 10 June 1992.

Helsinki, 5 June 1992

President of the Republic

Minister for Foreign Affairs